STE

SEP 0 9 2005 By

9 1005 B				Approved for	PTO/SB/21 (09-04 use through 07/31/2006. OMB 0651-003
- Under the Paperwork Reduction Act of 1995	no persons	U.S. are required to respond to a c Application Number	ollection of inf	rademark Offic formation unles	ce; U.S. DEPARTMENT OF COMMERC ss it displays a valid OMB control number
TDANGMITTAL		Filing Date	10/718,07		
TRANSMITTAL		First Named Inventor		20, 2003	
FORM			Fred J. Mo	olz, IV	
	,	Art Unit	3739		
(to be used for all correspondence after initial	filina)	Examiner Name	Unknown		
Total Number of Pages in This Submission		Attorney Docket Number	MSDI-495	/PC800.00	
	ENCL	OSURES (Check a	ii that apply	y)	
Fee Transmittal Form  Fee Attached  Amendment/Reply  After Final  Affidavits/declaration(s)  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement  Certified Copy of Priority Document(s)  Reply to Missing Parts/ Incomplete Application  Reply to Missing Parts  under 37 CFR 1.52 or 1.53		Prawing(s) icensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocate Change of Correspondence Perminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on Coks	Address	Ap of (Ar Pro	f three (3) cited references
SIGNA	TURE O	F APPLICANT, ATT	ORNEY, (	OR AGEN	T
Firm Name Krieg Devault, LLP Signature Printed name	a.	Collies			
Douglas A. Collier  Date September 7, 2005			Reg. No.	43,556	
CERTIFICATE OF TRANSMISSION/MAILING  I hereby certify that this correspondence/s\being facsimile transmitted to the USPTO or deposited with the United States Postal Service with					
sufficient postage as first class mail in an enthe date shown below: Signature	velope add	dressed to: Commissioner (	or Patents,	P.O. Box 145	bu, Alexandria, VA 22313-1450 on
Typed or printed name Douglas A. Collie	O er			Da	te September 7, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent
application of:

Molz, IV, et al.

Serial No. 10/718,072

Filed: November 20, 2003

METHODS AND DEVICES FOR INSERTING)
AND ENGAGING VERTEBRAL IMPLANTS
IN MINIMALLY INVASIVE PROCEDURES

Before the Examiner

Unknown

Group Art Unit 3739

September 7, 2005

Atty. Docket No. MSDI-495/PC800.00

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Pursuant to the duty of disclosure embodiment in 37 C.F.R. §1.56, applicant wishes to bring to the attention of the Examiner the following patents, publication and/or other information listed on the attached PTO Form 1449.

This information is not believed to have previously submitted in this application, and has not heretofore been cited by the Examiner. The filing of this Supplemental Information Disclosure Statement shall not construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56 or prior art.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 7, 2005.

Douglas A. Collier of Registered Registered

Signature

September 7, 2005

Date of Signature

This information is being cited before receipt of an office action on the merits, and no fees are believed due for consideration of the same. Should any fees be required, please charge the same to Deposit Account 12-2424, but not including the payment of any issue fees that are or may become due.

Respectfully submitted:

By:

Douglas A. Collier Reg. No. 43,556 Krieg DeVault LLP

2800 One Indiana Square

Indianapolis, Indiana 46204-2079

Phone:

(317) 636-4341

Facsimile:

(317) 238-6371

KD\_IM-640188\_1.DOC

PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

r the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Sheet 1

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of 1

Complete if Known			
Application Number	10/718,072		
Filing Date	November 20, 2003		
First Named Inventor	Fred J. Molz, IV		
Art Unit	3739		
Examiner Name	Unknown		
Attorney Docket Number	MSDI-495/PC800.00		

			U. S. PATEN	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2 (# known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	į	<sup>US-</sup> 4,997,432	3/5/1991	Keller	
		<sup>US-</sup> 2002/0045904	4/18/2002	Fuss et al.	
		US- 2003/0208203	11/6/2003	Lim et al.	
		ŪS-			
		US-			
_		US-			
		US-	-		
		US-			
	1	US-			
		US-			
		US-			
		US-			
-		US-			
		US-			
		US-			
	1	US-			
		US-			
		US-			•
	-	US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T <sup>6</sup>
					•	
					-	₽-
						-

Examiner	Date	_ " ""
Signature	Conside	red

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.